

at the terminus of the Sitcum Waterway and then northwesterly along the shoreline of the Sitcum Waterway; then northeasterly along the shoreline of Pier No. 5 to the point of origin. [Datum: NAD 1983].

(3) *Budd Inlet Security Zone*: The Security Zone in Budd Inlet, West Bay, Olympia WA includes all waters enclosed by a line connecting the following points: 47°03'12" N, 122°54'21" W, which is approximately the northwestern end of the fence line enclosing Berth 1 at Port of Olympia; then northerly to 47°03'15" N, 122°54'21" W, which is the approximate 300 feet north along the shoreline; then westerly to 47°03'15" N, 122°54'26" W; then southerly to 47°03'06" N, 122°54'26" W; then southeasterly to 47°03'03" N, 122°54'20" W, which is approximately the end of the T-shaped pier; then north to 47°03'04" N, 122°54'19.5" W, which is approximately the southwestern corner of berth 1; then northerly along the shoreline to the point of origin. [Datum: NAD 1983].

(d) *Obtaining permission to enter, move within, or exit the security zones*. All vessels must obtain permission from the COTP or a Designated Representative to enter, move within, or exit the security zones established in this section when these security zones are enforced. Vessels 20 meters or greater in length should seek permission from the COTP or a Designated Representative at least 4 hours in advance. Vessels less than 20 meters in length should seek permission at least 1 hour in advance. VTS Puget Sound may be reached on VHF channel 14.

(e) *Compliance*. Upon notice of enforcement by the Captain of the Port Puget Sound, the Coast Guard will enforce these security zones in accordance with rules set out in this section. Upon notice of suspension of enforcement by the Captain of the Port Puget Sound, all persons and vessels are authorized to enter, transit, and exit these security zones.

(f) *Regulations*. Under the general regulations in 33 CFR part 165 subpart D, this section applies to any vessel or person in the navigable waters of the United States to which this section applies. No person or vessel may enter the security zones established in this section unless authorized by the Cap-

tain of the Port or his designated representatives. Vessels and persons granted permission to enter the security zone shall obey all lawful orders or directions of the Captain of the Port or his designated representatives. All vessels shall operate at the minimum speed necessary to maintain a safe course.

(g) *Enforcement*. Any Coast Guard commissioned, warrant or petty officer may enforce the rules in this section. In the navigable waters of the United States to which this section applies, when immediate action is required and representatives of the Coast Guard are not present or not present in sufficient force to provide effective enforcement of this section, any Federal Law Enforcement Officer or Washington Law Enforcement Officer may enforce the rules contained in this section pursuant to 33 CFR 6.04-11. In addition, the Captain of the Port may be assisted by other federal, state or local agencies in enforcing this section pursuant to 33 CFR 6.04-11.

(h) *Exemption*. Public vessels as defined in paragraph (b) of this section are exempt from the requirements in this section.

(i) *Waiver*. For any vessel, the Captain of the Port Puget Sound may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purpose of port security, safety or environmental safety.

[CGD13-04-019, 69 FR 52603, Aug. 27, 2004, as amended by CGD13-04-040, 69 FR 71711, Dec. 10, 2004; CGD13-04-46, 70 FR 2019, Jan. 12, 2005; CGD13-05-031, 70 FR 45537, Aug. 8, 2005]

§ 165.1322 Regulated Navigation Area: Willamette River Portland, Oregon Captain of the Port Zone.

(a) *Location*. The following is a regulated navigation area (RNA): All waters of the Willamette River encompassed by a line commencing at 45°34'47" N, 122°45'28" W along the shoreline to 45°34'47" N, 122°45'30" W thence to 45° 34'47" N, 122°45'30" W thence to 45°34'48" N, 122°45'30" W thence to 45°34'48" N, 122°45'30" W thence to 45°34'48" N, 122°45'28" W thence to 45°34'47" N, 122°45'28" W and back to the

§ 165.1323

point of origin. All coordinates reference 1983 North American Datum (NAD 83).

(b) *Regulations.* (1) Motoring, anchoring, dragging, dredging, or trawling are prohibited in the regulated area.

(2) All vessels transiting or accessing the regulated area shall do so at a no wake speed or at the minimum speed necessary to maintain steerage.

[USCG–2008–0112, 74 FR 5988, Feb. 4, 2009]

§ 165.1323 Regulated Navigation Area: Willamette River Portland, Oregon Captain of the Port Zone.

(a) *Location.* The following is a regulated navigation area (RNA): All waters of the Willamette River encompassed by a line commencing at 45°34'33" N, 122°44'17" W to 45°34'32" N, 122°44'18" W thence to 45°34'35" N, 122°44'24" W thence to 45°34'35" N, 122°44'27" W thence to 45°34'35" N, 122°44'36" W thence to 45°34'35" N, 122°44'37" W thence to 45°34'38" N, 122°44'42" W to 45°34'39" N, 122°44'43" W thence to 45°34'44" N, 122°44'51" W thence to 45°34'45" N, 122°44'53" W thence to 45°34'47" N, 122°44'51" W thence to 45°34'45" N, 122°44'46" W to 45°34'45" N, 122°44'45" W thence to 45°34'47" N, 122°44'43" W thence to 45°34'46" N, 122°44'42" W thence to 45°34'48" N, 122°44'40" W thence to 45°34'48" N, 122°44'38" W and along the shoreline to 45°34'46" N, 122°44'39" W and back to the point of origin. All coordinates reference 1983 North American Datum (NAD 83).

(b) *Regulations.* (1) Anchoring, spudding, dredging, laying cable, dragging, trawling, conducting salvage operations, operating commercial vessels of any size, and operating recreational vessels greater than 30 feet in length are prohibited in the regulated area.

(2) All vessels transiting or accessing the regulated area shall do so at no wake speed or at the minimum speed necessary to maintain steerage.

[USCG–2008–0121, 74 FR 5991, Feb. 4, 2009]

§ 165.1324 Safety and Security Zone; Cruise Ship Protection, Elliott Bay and Pier-91, Seattle, Washington.

(a) *Safety and security zones.* (1) The following area is a safety and security zone: All waters within the following points: a rectangle, starting at 47°37'53"

33 CFR Ch. I (7–1–10 Edition)

N/122°23'07" W, thence south to position 47°37'06" N/122°23'07" W, thence east to position 47°37'06" N/122°22'43" W, thence north to position 47°37'58" N/122°22'43" W. This zone will be enforced only during the arrival or departure of Large Passenger Cruise Vessels at Pier 91, Seattle, Washington.

(2) The following area is a safety and security zone: All waters within 100 yards of Pier 91, Seattle, Washington, at approximate position 47°37'35" N/122°23'00" W. This zone will be enforced only when a Large Passenger Cruise Vessel is moored at Pier 91.

(b) *Regulations.* In accordance with the general regulations in 33 CFR Part 165, Subpart D, no person or vessel may enter or remain in either Safety and Security Zone except for vessels authorized by the Captain of the Port or Designated Representatives.

(c) *Definitions.* The following definitions apply to this section:

Facility Security Officer means the person designated as responsible for the development, implementation, revision and maintenance of the facility security plan and for liaison with the COTP and Company and Vessel Security Officers.

Large Passenger Cruise Vessel means any cruise ship over 100 feet in length carrying passengers for hire. Large Passenger Cruise Vessel does not include vessels inspected and certificated under 46 CFR, Chapter I, Subchapter T such as excursion vessels, sight seeing vessels, dinner cruise vessels, and whale watching vessels.

Official Patrol means those persons designated by the Captain of the Port to monitor a Large Passenger Cruise Vessel security and safety zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zone and take other actions authorized by the Captain of the Port. Persons authorized in paragraph (e) to enforce this section are designated as the Official Patrol.

(d) *Authorization.* To request authorization to operate within 100 yards of a Large Passenger Cruise Vessel that is moored at Pier 91, contact the on-scene Official Patrol on VHF-FM channel 16 or 13 or the Facility Security Officer at (206) 728–3688.